

State of Wisconsin



1997 Senate Bill 337

Date of enactment: **June 8, 1998**
Date of publication*: **June 22, 1998**

1997 WISCONSIN ACT 261

AN ACT to repeal 455.02 (2m) (mt) 1. (intro.), 455.02 (2m) (mt) 2., 455.02 (2m) (mx) 1. (intro.), 455.02 (2m) (mx) 2., 455.02 (2m) (mz) 1. (intro.) and 455.02 (2m) (mz) 2.; **to renumber and amend** 455.02 (2m) (mt) 1. a. to c., 455.02 (2m) (mx) 1. a. to c. and 455.02 (2m) (mz) 1. a. to c.; and **to create** 440.03 (14) (a) 1. (intro.), 440.03 (14) (a) 2. (intro.), 440.03 (14) (a) 3. (intro.), 440.03 (14) (b) to (f) and 440.08 (2) (a) 67q. of the statutes; **relating to:** the regulation of music, art and dance therapists, granting rule-making authority and providing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 440.03 (14) (a) 1. (intro.) of the statutes is created to read:

440.03 (14) (a) 1. (intro.) The department shall grant a certificate of registration as a music therapist to a person if all of the following apply:

SECTION 2. 440.03 (14) (a) 2. (intro.) of the statutes is created to read:

440.03 (14) (a) 2. (intro.) The department shall grant a certificate of registration as an art therapist to a person if all of the following apply:

SECTION 3. 440.03 (14) (a) 3. (intro.) of the statutes is created to read:

440.03 (14) (a) 3. (intro.) The department shall grant a certificate of registration as a dance therapist to a person if all of the following apply:

SECTION 4. 440.03 (14) (b) to (f) of the statutes are created to read:

440.03 (14) (b) A person who is registered under par. (a) shall notify the department in writing within 30 days if an organization specified in par. (a) 1. a., 2. a. or 3. a. revokes the person's certification, registration or accreditation specified in par. (a) 1. a., 2. a. or 3. a. The depart-

ment shall revoke a certificate of registration granted under par. (a) if such an organization revokes such a certification, registration or accreditation.

(c) The renewal dates for certificates granted under par. (a) are specified in s. 440.08 (2) (a). Renewal applications shall be submitted to the department on a form provided by the department and shall include the renewal fee specified in s. 440.08 (2) (a) and evidence satisfactory to the department that the person's certification, registration or accreditation specified in par. (a) 1. a., 2. a. or 3. a. has not been revoked.

(d) The department shall promulgate rules that specify the services within the scope of practice of music, art or dance therapy that a person who is registered under par. (a) is qualified to perform.

(e) Subject to the rules promulgated under sub. (1), the department may make investigations and conduct hearings to determine whether a violation of this subsection or any rule promulgated under par. (d) has occurred and may reprimand a person who is registered under par. (a) or may deny, limit, suspend or revoke a certificate of registration granted under par. (a) if it finds that the applicant or certificate holder has violated this subsection or any rule promulgated under par. (d).

* Section 991.11, WISCONSIN STATUTES 1995-96: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

(f) A person who is registered under par. (a) who violates this subsection or any rule promulgated under par. (d) may be fined not more than \$200 or imprisoned for not more than 6 months or both.

SECTION 5. 440.08 (2) (a) 67q. of the statutes is created to read:

440.08 (2) (a) 67q. Registered music, art or dance therapist: October 1 of each odd-numbered year; \$41.

SECTION 6. 455.02 (2m) (mt) 1. (intro.) of the statutes is repealed.

SECTION 7. 455.02 (2m) (mt) 1. a. to c. of the statutes are renumbered 440.03 (14) (a) 1. a. to c. and amended to read:

440.03 (14) (a) 1. a. The person is certified, registered or accredited as a music therapist by the Certification Board for Music Therapists, National Music Therapy Registry, American Music Therapy Association or by another national organization that certifies, registers or accredits music therapists.

b. The organization that certified, registered or accredited the person under subd. 1. a. is approved by the examining-board department.

c. The person pays the fee specified in s. 440.05 (1) and files with the examining-board department evidence satisfactory to the examining-board department that he or she is certified, registered or accredited as required under subd. 1. a.

SECTION 8. 455.02 (2m) (mt) 2. of the statutes is repealed.

SECTION 9. 455.02 (2m) (mx) 1. (intro.) of the statutes is repealed.

SECTION 10. 455.02 (2m) (mx) 1. a. to c. of the statutes are renumbered 440.03 (14) (a) 2. a. to c. and amended to read:

440.03 (14) (a) 2. a. The person is certified, registered or accredited as an art therapist by the Art Therapy Cre-

dentials Board or by another national organization that certifies, registers or accredits art therapists.

b. The organization that certified, registered or accredited the person under subd. 1. 2. a. is approved by the examining-board department.

c. The person pays the fee specified in s. 440.05 (1) and files with the examining-board department evidence satisfactory to the examining-board department that he or she is certified, registered or accredited as required under subd. 1. 2. a.

SECTION 11. 455.02 (2m) (mx) 2. of the statutes is repealed.

SECTION 12. 455.02 (2m) (mz) 1. (intro.) of the statutes is repealed.

SECTION 13. 455.02 (2m) (mz) 1. a. to c. of the statutes are renumbered 440.03 (14) (a) 3. a. to c. and amended to read:

440.03 (14) (a) 3. a. The person is certified, registered or accredited as a dance therapist by the American Dance Therapy Association or by another national organization that certifies, registers or accredits dance therapists.

b. The organization that certified, registered or accredited the person under subd. 1. 3. a. is approved by the examining-board department.

c. The person pays the fee specified in s. 440.05 (1) and files with the examining-board department evidence satisfactory to the examining-board department that he or she is certified, registered or accredited as required under subd. 1. 3. a.

SECTION 14. 455.02 (2m) (mz) 2. of the statutes is repealed.

SECTION 15. Effective dates. This act takes effect on the first day of the 6th month beginning after publication, except as follows:

(1) The treatment of sections 440.03 (14) (c) and 440.08 (2) (a) 67q. of the statutes takes effect on October 2, 1999.